

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F043067      In re Derrick B., a Minor**

The judgment is affirmed with modifications. Buckley, J.

We concur: Vartabedian, Acting P.J.; Cornell, J.

[CERTIFIED FOR PARTIAL PUBLICATION]

**F042937      Terris et al. v. Gourley, as Director, etc.**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F041496      People v. Castillo**

The judgment is affirmed. Cornell, J.

We concur: Buckley, Acting P.J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F042722      Stewart et al. v. McMenomy et al.**

The judgment is affirmed. Respondents shall recover costs on appeal. Dawson, J.

We concur: Buckley, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F043136      People v. Sanders**

The convictions on counts 1, 2, and 8 are affirmed; the convictions on counts 5 and 7 are reversed. The matter is remanded for resentencing. Cornell, J.

We concur: Harris, Acting P.J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F042212      People v. Lewis**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F042212      People v. Lewis**

The trial court is directed to issue an amended abstract of judgment, which does not have any references to the dismissed prior prison term enhancements and to forward a certified copy to the Department of Corrections. In all other respects the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F043146      In re Sabrina B., a Minor**

The orders of the juvenile court are affirmed. Dawson, J.

We concur: Wiseman, Acting P.J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F041305      People v. Sanchez**

The judgment is affirmed. Harris, Acting P.J.

We concur: Wiseman, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F041992      People v. Arrellano**

The judgment is affirmed. Dawson, J.

We concur: Wiseman, Acting P.J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F042936      Vartanian v. State Center Community College District et al.**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE

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**F042936      Vartanian v. State Center Community College District et al.**

The judgment is affirmed. Respondents are awarded their costs on appeal. Gomes, J.

We concur: Cornell, Acting P.J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044260      People v. Estrada**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

Pursuant to rule 30.3, California Rules of Court, it is further ordered that the remittitur issue forthwith.

**F044382      People v. Benefield**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F042031      Armstrong Petroleum Corporation v. Tri-Valley Oil & Gas Company**

The judgment is affirmed. Respondent shall recover its costs on appeal. Dawson, J.

We concur: Buckley, Acting P.J.; Cornell, J.

[CERTIFIED FOR PARTIAL PUBLICATION]

**F042912      People v. Espinoza**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F042912      People v. Espinoza**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F040195      People v. Navarro**  
The judgment is affirmed. Vartabedian, J.  
We concur: Dibiaso, Acting P.J.; Levy, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F042709      People v. Gates**  
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F042709      People v. Gates**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F041491      Akins et al. v. Fistolera**  
Appellant's petition for rehearing filed herein is granted.
- F043027      People v. Heffernan**  
The above entitled cause is submitted for decision.

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**F043027      People v. Heffernan**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F042391      Carlye et al. v. PGH Wong Engineering Inc.**

The judgment is affirmed. Respondent is awarded costs on appeal.  
Dibiaso, Acting P.J.

We concur: Gomes, J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044539      In re Catherine H., a Minor**

The jurisdictional finding of September 23, 2003, also known as finding number 8 of the jurisdiction order, is reversed and the matter remanded to the juvenile court with directions to enter nunc pro tunc as of September 23, 2003, a finding that Catherine H. is a child described under Welfare and Institutions Code, section 300, subdivision (g), and comes under the jurisdiction of the Tuolumne County Juvenile Court.

**F043722      In re Nikolas N. et al., Minors**

Appellant's petition for rehearing filed herein is denied.

**F042274      Perez et al. v. Vargas et al.; Davenport**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.